

First is a public that recognizes the importance of salmon habitat protection, and that does not condone actions by others that do harm to these resources. This sentiment should be nurtured through a vigorous public information effort, and by providing the technical information to assist landowners and others in their efforts to comply with existing regulations

A second factor and one that needs to be implemented concurrently with the first step is an unambiguous regulatory framework that insures that the habitat needs of the fisheries resource are fully protected, either through avoidance of impacts or through the full mitigation of unavoidable impacts. The regulations should provide sufficient clarity to landowners and other project proponents about what standards need to be met, and what actions are unacceptable. These regulations must be applied equally to all, with assistance from implementing agencies so that people can understand the necessity of the regulated actions, and how they can comply

Protection and restoration of habitat critical to maintaining Chinook production and productivity is dependent on seven factors:

- 1) Application of best available science and implementation of adaptive management practices to deal with uncertainty
- 2) Local collaborative planning that fully incorporates the needs of salmon in the recovery planning process
- 3) Adequate regulatory safeguards that meet the required certainty of fish and habitat protection
- 4) Adequate technical assistance to aid parties with the compliance of regulations
- 5) The vigorous enforcement of these regulatory safeguards
- 6) Adequate incentives to promote voluntary involvement of the public in the restoration and protection of salmon habitat
- 7) A desire on the part of the public and elected officials to provide for those habitat elements necessary to sustain salmon populations sufficient to meet the recovery goals

Governor Locke's Extinction is not an Option (1999) called for a collaborative process to develop an agricultural strategy within three years, and delineated default actions if that strategy was not developed among interested parties. These default actions include a regulatory framework in the form of an Agricultural Practices Act, a Riparian Protection Act, or the mandatory use of Farm Plans based on Best Management Practices (BMP) based on Best Available Science (BAS). The commitment to enforce these regulations, is a necessary component to protect water quality within the Skagit Basin. A Water Quality based agricultural strategy has yet to be developed

#### **Recommendation 21**

Assist and support development of Total Maximum Daily Load (TMDL)s for each of the Chinook streams listed on the 303(d) list in the Skagit River Basin. Identify and implement the measures necessary to meet water quality standards. These measures should become part of either local or state regulations to ensure their implementation.

#### **Recommendation 24**

The Shorelines Management Act currently exempts agricultural practices, which inadequately protects essential Chinook habitat. Protecting this habitat requires modification of the Shorelines

Management Act to eliminate the exemption for agricultural practices, or to develop alternative mechanisms that provide equivalent levels of protection

**Recommendation 27**

The Clean Water Act (CWA) does not adequately provide for non-point source water quality protection. Adequate protection requires modification of the CWA or establishment of other mechanisms that provide for levels of protection equivalent to those required for point sources of pollution.

**Recommendation 44**

Adopt by regulation the stream buffer measures consistent with the BAS. Include a provision that site-specific alterations are possible, based on information that demonstrates a comparable level of resource protection can be attained